

In pages 57-70, please move the same to page 97 (new page) and insert at the top thereof "Appendix B".

REMARKS

The applicant appreciates the Examiner's thorough examination of the application and requests reexamination and reconsideration of the application in view of the preceding amendments and the following remarks.

The Examiner first rejects the claims under 35 USC Section 102(b) as described in a printed publication or in public use or on sale more than one year prior to the date of the application.

The filing date of the application is May 29, 1992; therefore only activities before May 29, 1991 would potentially trigger a Section 102(b) bar.

There were, however, no printed publications describing the claimed invention available to the public, no public uses of the claimed invention, and no sales or attempts to sell the claimed invention prior to May 29, 1991.

The claimed invention is used only today by the assignee at the facility of the assignee and the details of the claimed invention are not ascertainable by inspection or analysis by anyone outside of the assignee's control. Prior to May 29, 1991, all uses of, all written material concerning the claimed invention, and all verbal presentations concerning the claimed invention were for internal distribution at the assignee only.

The first printed publication concerning the invention

available to the public was reference item No. 9 approved for distribution June 28, 1991. The first oral disclosure of the invention was not until October 1991. There were no printed publications describing the invention accessible by the public; there were no uses of the invention accessible to the public; and finally, there was no sale or attempts to sell the invention prior to the critical date.

The enclosed declaration by the inventor supports the above facts. Accordingly, it is respectfully requested tat the 35 USC §102(b) rejection be withdrawn.

Regarding the rejection over the Perkins reference, the applicant claims:

A method for automatically evaluating a decisional rule containing a task and a condition which must be fulfilled before the task can be performed and for automatically performing the task when the condition is fulfilled comprising:

- entering said decisional rule into computing means;
- compiling said decisional rule to parse said condition;
- providing automatic and continuing <sup>iterative</sup> ~~interactive~~ evaluations of whether said condition is fulfilled until said condition is fulfilled once;
- automatically performing said task when said condition is fulfilled once; and
- resuming further processing only after said condition is fulfilled once.

In contrast, the method described in the reference

applies to the analysis of time-varying data such as "a patient's computer record", which occurs after the data is gathered into a data base. The claimed invention applies to the control of ongoing processes while they are happening.

In the reference, no means is identified by which the described system can affect the process that generates the data upon which it operates. The claimed invention can and does modify the operation of such a process.

The reference describes a method for "temporal reasoning" on the basis of "past values and trends". The claimed invention supports decision-making on the basis of current data. Note this statement on page 28 of the reference:

Before we added temporal-reasoning abilities to LES, Wheels could handle only currently valid data (that is, only the most recent data)...After we added temporal-reasoning abilities to LES, all data available for diagnosis was available from the frame database...."

This indicates that the system described in the reference has to do with the use of "all data available", i.e. past history. In contrast, the claimed invention allows a user to easily express decisional rules framed in terms of current data.

The method in the reference is built on top of an expert-system shell environment (specifically the "Lockheed expert system shell (LES)"). An application of the claimed invention presupposes only the ability to obtain current

information from, and make inputs to, the process to which the application is attached.

The use of the term "time line" by the authors of the reference probably caused this paper to be identified as relevant to the claimed system. However, as the term is used by the authors, a time line is a method of organizing existing data. The claimed system gets its name from the fact that it controls an ongoing process using a pre-programmed time line, which may adapt itself to events by means of conditional logic.


The Perkins referenced fails to teach or suggest or provide an incentive for a method of automatically evaluating a decision rule. The Perkins reference fails to teach or suggests the steps of entering the decisional rule into computing means; compiling the decisional rule to parse the condition; providing automatic and continuing iterative evaluations of whether the condition is fulfilled until the condition is fulfilled once; automatically performing the task when the condition is fulfilled once; and resuming further processing only after the condition is fulfilled once.

Each of Examiner's rejections has been addressed or traversed. Accordingly, it is respectfully submitted that the application is in condition for allowance. Early and favorable action is respectfully requested.

If for any reason this Response is found to be incomplete, or if at any time it appears that a telephone

conference with counsel would help advance prosecution,  
please telephone the undersigned or his associate, Joseph S.  
Iandiorio, collect in Waltham, Massachusetts, (617) 890-  
5678.

Respectfully submitted,

  
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